

REMARKS

In response to the Office Action dated May 18, 2007, Applicant respectfully requests reconsideration based on the above amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

The specification was objected to and has been amended to address the items raised by the Examiner.

Claims 1-4, 7 and 10-13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Walker. Claims 5-6, 8-9 and 14 were rejected under 35 U.S.C. § 103 as being unpatentable over Walker (20010047260) in view of Mark (6510413). This rejection is traversed for the following reasons.

The use of a voice file has been added to the independent claims. As Mark was relied upon for disclosing a voice file, patentability of the claims is discussed with reference to Walker in view of Mark.

Claim 1 recites, *inter alia*, “wherein the cellular phone includes a memory having a voice file stored therein, the voice file having a plurality of speech samples from a predetermined person, the signals received by the cellular phone corresponding to the first collection of speech generation commands, the phone accessing a predetermined set of the speech samples in the voice file based on the first collection of speech generation commands to generate auditory speech.” As noted by the Examiner, Walker fails to teach use of a voice file as recited in claim 1. The Examiner cites to Mark as allegedly teaching a voice file. Applicant submits that Mark fails to teach a voice file.

Mark teaches an intermediate form that represents synthetic speech. The intermediate form in Mark is composed of a time-sequence of symbols, corresponding to basic speech sounds and additional symbols for modulating those basic sounds, with the result that when the time-sequence of symbols is applied as input to a speech waveform rendering program 216, a digital audio waveform is produced that sounds like a human reading the corresponding text (column 4, lines 28-34).

The voice file as recited in amended claim 1 is different from the intermediate form in Mark. The voice file contains a plurality of speech samples from a predetermined person and is indexed by the speech generation command. To generate an audible element, the speech

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sample is played. The intermediate form in Mark is analogous to phonemes that must be processed by a speech processor rather than simply playing a pre-recorded speech sample. Thus, neither Walker nor Mark teaches the voice file as recited in claim 1.

For at least the above reasons, claim 1 is patentable over Walker in view of Mark. Claims 2 and 6 variously depend from claim 1 and are patentable over Walker in view of Mark for at least the reasons advanced with reference to claim 1.

Claims 7 and 15 also recite the use of a voice file and are patentable over Walker in view of Mark for at least the reasons advanced with reference to claim 1. Claims 9, 13 and 14 variously depend from claim 7 and are patentable over Walker in view of Mark for at least the reasons advanced with reference to claim 7.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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